

Remarks/Arguments:

The specification has been objected to. The specification has been appropriately amended. Withdrawal of the objection is respectfully requested.

Claims 3 and 8 have been objected to. Claim 3 has been appropriately amended. Claim 8 has been cancelled. Withdrawal of the objection is respectfully requested.

Claim 8 has been rejected under 35 U.S.C. §112, first paragraph. The rejection is rendered moot by the cancellation of that claim.

Claims 1, 4, 5, and 8-10 have been rejected under 35 U.S.C. §102(b) as being anticipated by Inubushi. It is respectfully submitted, however, that these claims are now patentable over Inubushi for the reasons set forth below.

The Official Action relies on Figure 24 of Inubushi in rejecting Applicants' claims. Figure 24 shows button 4 which presses down on hollow portion 10. Hollow portion 10 causes upper contact 20 to deflect towards lower contact 23.

The above description differs from Applicants' claimed invention. Specifically, Applicants' claim 1 includes the feature of:

. . . said pushbutton extending through said EL device so that the EL device remains stationary while such pushbutton moves . . .

Thus, in the present invention, the pushbutton goes through the EL device. Thus, the EL device remains stationary while the pushbutton moves. This is different than Inubushi where EL device 11 deflects when pushbutton 4 is pushed toward upper contact 20.

It is because Applicants' pushbutton extends through the EL device that flexing, and possible damage, to the EL device is prevented.

Accordingly, claim 1 is patentable over the art of record.

Claim 4, while not identical to claim 1, is patentable for reasons similar to those set forth with regard to claim 1.

Claim 8 has been cancelled.

The remaining claims are patentable by virtue of their dependency on allowable claims 1 and 4.

Claims 2, 6 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Inubushi in view of Shibamoto. Claim 6, however, has been amended similarly to claim 1. Furthermore, claims 2 and 7 include the features of the respective independent claims from which they depend. Thus, claims 2, 6, and 7 are patentable over the art of record.

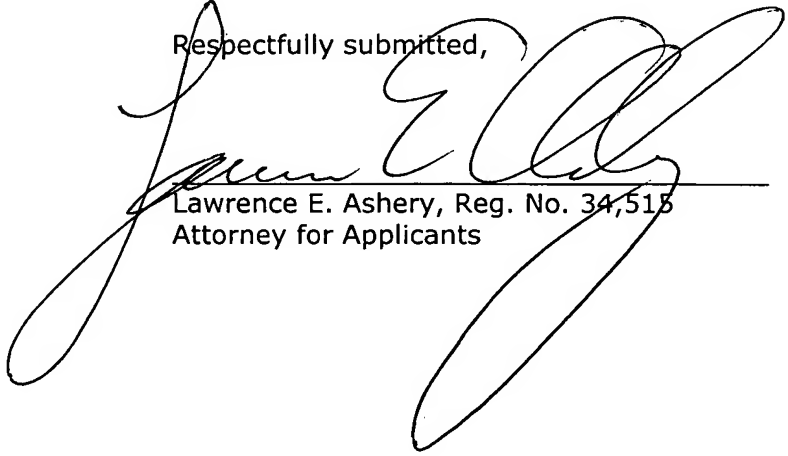
Claim 3 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Inubushi in view of Barrow. Claim 3, however, includes the features of claim 1 from which it depends. Thus, claim 3 is also patentable over the art of record.

Appln. No.: 10/091,903
Amendment Dated: November 4, 2004
Reply to Office Action of: August 16, 2004

MAT-8230US

In view of the amendments and arguments set forth above, the above identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,


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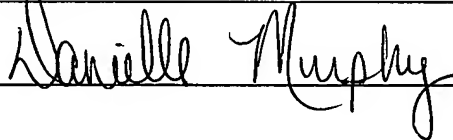
Dated: November 4, 2004

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